

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The final Office Action dated January 21, 2009 has been received and its contents carefully reviewed.

Claims 1-2, 6, and 10, are hereby amended. Claims 5, 9, and 13-18 are hereby canceled without prejudice or disclaimer. No claims are added. Accordingly, claims 1-4, 6-8, and 10-12 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

The Office Action objects to claims 15 and 17 for informalities noted therein. Office Action at p. 2, ¶ 4. The objection of claims 15 and 17 is moot as claims 15 and 17 are canceled herein.

Claims 1 and 14-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee et al. (A New Control Protocol For Home Appliances - LnCP -2001) (hereinafter “Lee”) in view of U.S. Patent No. 7,421,478 to Muchow (hereinafter “Muchow”). Office Action at p. 3, ¶ 8. The rejection of claims 14 and 15 is moot as claims 14 and 15 are canceled herein. Applicants respectfully traverse the rejection of the remaining claim and request reconsideration.

Independent claim 1 is allowable over *Lee* in view of *Muchow* in that claim 1 recites a combination of elements including, for example, “A home network system, comprising: ... an argument field including the number of arguments according to a version of a protocol applied to one electric device for performing the command code, wherein the other electric device executes an operation by using the command code and as many arguments as necessary in the version of the protocol applied to the other electric device.” As admitted by the Office *Lee* “does not disclose that the argument field is extendable according to a version of a protocol.” Office Action at p. 4. Thus, *Lee* does not teach or suggest the features of claim 1.

Muchow fails to cure the deficiencies of *Lee*. *Muchow* discloses a “version number field 816 [that] includes a value, which indicates the protocol version number of the message” and an “extended header length field 818 [that] includes a value, which indicates how much

longer the header 801 is for the new protocol version, if at all longer.” *Muchow* at col. 21:46-47 and lines 54-56. In other words, the extended header length field 818 indicates how much the length of the header increases depending upon the version of the protocol.

Applicants respectfully submit that a value indicating how much the length of the header increases can not be construed as “an argument field including the number of arguments according to a version of a protocol applied to one electric device for performing the command code.” Even if *Muchow*’s extended header length field 818 could be construed as Applicants’ argument field, which it can not, *Muchow* still fails to teach or suggest “the other electric device executes an operation by using the command code and as many arguments as necessary in the version of the protocol applied to the other electric device,” as recited in independent claim 1.

Accordingly, none of the cited references, singly or in combination, teaches or suggests “a home network system, comprising: ... an argument field including the number of arguments according to a version of a protocol applied to one electric device for performing the command code, wherein the other electric device executes an operation by using the command code and as many arguments necessary in the version of the protocol applied to the other electric device,” as recited in independent claim 1.

For at least these reasons, Applicant respectfully requests that the Office withdraw the 35 U.S.C. § 103(a) rejection of independent claim 1.

Claims 2-4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lee* in view of *Muchow* and further in view of U.S. Patent No. 7,062,531 to Kim (hereinafter “*Kim*”). Office Action at p. 7, ¶ 9. Applicants respectfully traverse this rejection and request reconsideration.

Kim fails to cure the deficiencies of *Lee* and *Muchow* with respect to independent claim 1. Indeed, the Office only relied upon *Kim* to disclose “the modem forwards the request message to the selected domestic appliance and extracts the LnCP body of the message and determines whether or not the order or command code is for itself, if it is the domestic appliance performs the operation.” *Office Action* at p. 7. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 1, they also fail to teach or suggest each and every element of claims 2-4, which depend from

claim 1. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. §103(a) rejection of claims 2-4.

Claims 6-8 and 10-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lee* in view of *Muchow*, and further in view of *Kim*. Office Action at p. 8, ¶ 10. Applicants respectfully traverse this rejection and request reconsideration.

Independent claim 6 is allowable over *Lee* in view of *Muchow* and *Kim* in that claim 6 recites a combination of elements including, for example, “an electric device based on a predetermined protocol comprising: at least a lower layer and an upper layer, wherein the upper layer is configured to: receive from the lower layer a message ... an argument field including the number of arguments according to a version of a protocol applied to the electric device for performing the command code, ... extract as many arguments as necessary in the version of the protocol applied to the electric device from the argument field, and execute the command code using the extracted arguments.” As admitted by the Office, *Lee* “does not disclose that the argument field is extendable according to a version of a protocol.” *Office Action* at p. 9. Thus, *Lee* does not teach or suggest the features of claim 6.

For the same or similar reasons discussed above regarding claim 1, Applicants respectfully assert that *Muchow* fails to cure the deficiencies of *Lee* and does not teach or suggest at least the above feature of claim 6.

Kim fails to cure the deficiencies of *Lee* and *Muchow* with respect to independent claim 6. *Kim* discloses “a method for generating a region separation code and a household separation code in a house code.” *Kim* at col. 4:16-18. *Kim* is entirely silent as to any teaching or suggestion concerning “an electric device based on a predetermined protocol comprising: at least a lower layer and an upper layer, wherein the upper layer is configured to: receive from the lower layer a message ... an argument field including the number of arguments according to a version of a protocol applied to the electric device for performing the command code, ... extract as many arguments as necessary in the version of the protocol applied to the electric device from the argument field, and execute the command code using the extracted arguments,” as recited in independent claim 6.

Accordingly, none of the cited references, singly or in combination, teaches or suggests “an electric device based on a predetermined protocol comprising: at least a lower layer and an upper layer, wherein the upper layer is configured to: receive from the lower layer a message ... an argument field including the number of arguments according to a version of a protocol applied to the electric device for performing the command code, ... extract as many arguments as necessary in the version of the protocol applied to the electric device from the argument field, and execute the command code using the extracted arguments” as recited in independent claim 6.

Independent claim 10 is allowable over *Lee* in view of *Muchow* and *Kim* in that claim 10 recites a combination of elements including, for example, “A method for processing a message in a home network system ... comprising the steps of: generating and transmitting, at one electric device, a message including ... an argument field including the number of arguments according to a version of a protocol applied to one electric device for performing the command code; ... extracting, at the other electric device, as many arguments as necessary in a version of a protocol applied to the other electric device.” Nothing in *Lee*, *Muchow* and *Kim*, singly or in combination, teaches or suggests at least this feature of the claimed invention. Hence, for the same or similar reasons discussed above regarding independent claim 1, Applicants respectfully assert that *Lee*, *Muchow* and *Kim*, singly or in combination, does not teach or suggest at least the above feature of claim 10, and respectfully submits that independent claim 10 is patentable over *Lee*, *Muchow* and *Kim*.

For at least these reasons, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of independent claims 6 and 10. Claims 7-8 depend from independent claim 6, and claims 11-12 depend from independent claim 10. It stands to reason that the 35 U.S.C. § 103(a) rejection of those dependent claims should be withdrawn as well

Claims 16-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lee* in view of *Muchow*, as applied to claim 14 above and further in view of U.S. Patent No. 5,519,858 to *Walton et al.* (hereafter, “*Walton*”). Office Action at p. 14, ¶ 11. The rejection of claims 16-17 is moot as claims 16-17 are canceled herein.

CONCLUSION

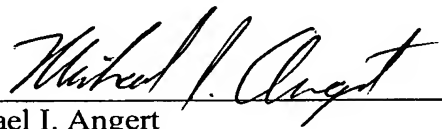
The application is in condition for allowance. Early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: May 21, 2009

Respectfully submitted,

By: 
Michael I. Angert
Registration No.: 46,522
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant